

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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ALLAN SCOTT, DERIVATIVELY AND ON BEHALF
OF 6D GLOBAL TECHNOLOGIES, INC.,

Plaintiff,

15 CV 09691 (RWS)

v.

BENJAMIN TIANBING WEI A/K/A BENJAMIN WEY,
NEW YORK GLOBAL GROUP, INC., NYGG (ASIA) LTD.,
TEJUNE KANG, MARK SZYNKOWSKI, ADAM
HARTUNG, DAVID S. KAUFMAN, TERRY McEWEN,
ANUBHAV SAXENA, PIOTR CHRZASZCZ and
MICHAEL BANNOUT

Defendants,

and

6D GLOBAL TECHNOLOGIES, INC.,

Nominal Defendant.
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**DECLARATION OF MICHAEL J. FIRESTONE IN SUPPORT OF
NYGG (ASIA) LTD.'S OBJECTION TO THE
PROPOSED SETTLEMENT OF THE DERIVATIVE ACTION**

Michael J. Firestone, under penalty of perjury pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of the Bar of this Court and counsel to Objector NYGG (Asia) Ltd. ("NYGG (Asia)"). I submit this declaration in support of NYGG (Asia)'s Objection to the Proposed Settlement of the Derivative Action, and to submit true and correct copies of the following documents referenced in NYGG (Asia)'s Objection.

2. Attached as Exhibits A through F are true and correct copies of the following documents:

- Exhibit A: Relevant Pages from 6D Global Technologies, Inc.'s Annual Report for the period ended December 31, 2014.
- Exhibit B: Correspondence from 6D Global Technologies Inc. to NYGG (Asia).
- Exhibit C: Stipulation of Voluntary Dismissal in *Discover Growth Fund v. 6D Global Technologies, Inc., et al.*, Case No. 15-CV-7618 (PKC).
- Exhibit D: *Nolle Prosequi* in *U.S.A. v. Wey*, 15-CR-611 (AJN).
- Exhibit E: Notice of Voluntary Dismissal in *United States Securities and Exchange Commission v. Wey, et al.*, 15-CV-7116 (PKC).
- Exhibit F: "6D Global Settles Suit over PE CEO's Stock Scheming," by Danielle Nichole Smith, published on Law360, November 21, 2017.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
February 13, 2018

FIRESTONE LAW PLLC

By: /s/ Michael J. Firestone
Michael J. Firestone

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